SECRET

MHFNO: 97-7145484 SENSIND: PAGE: 1

/ / SECRET FRP: , , , , , , ,

STAFF

CONF: C/OCC INFO: DC/OCC, LA/FIG, LA/FIGCC, LIMITED, MDSX, OCDORECORD, ODPD, FILE, C/LA/RB5, DC/LA/RB5 (3/P)

97 7145484 ASP PAGE 001
TOT: 052149Z MAR 97 DIRECTOR 256618

S E C R E T
STAFF 052149Z DIRECTOR 256618
TO: PRIORITY SAN JOSE.

FROM: LIMITED DISSEM CHIEF/OCC INFO LA/FIGCC

SLUGS: WNINTEL

SUBJECT: REQUEST FOR STATION ASSISTANCE

REF: NONE.

TEXT:

1. ACTION REQUIRED: REQUEST STATION CONTACT FORMER EMPLOYEE WHO RETIRED UNDER COVER AND RESIDES IN COSTA RICA.

* 2. IN ORDER TO COMPLY WITH THE PRESIDENT<JFK ASSASSINATION> RECORDS COLLECTION ACT OF 1992, HQS REQUESTS STATION'S ASSISTANCE IN DELIVERING THE INFORMATION BELOW TO IDEN.

------------------------------TEAR LINE------------------------------

4 MARCH 1997

DEAR COLLEAGUE:

PLEASE BE AWARE THAT YOUR NAME APPEARS IN DOCUMENTS THAT ARE BEING REVIEWED FOR RELEASE TO THE PUBLIC UNDER PUBLIC LAW 102-526 *OF 26 OCTOBER 1992, THE PRESIDENT<JOHN>F.<KENNEDY ASSASSINATION> RECORDS COLLECTION ACT OF 1992. THIS MANDATES THE PUBLIC RELEASE OF ALL INFORMATION IN THESE DOCUMENTS, INCLUDING YOUR NAME WHERE IT APPEARS, UNLESS THE ORIGINATING AGENCY CAN PROVE BY CLEAR AND CONVINCING EVIDENCE TO A PRESIDENTIALLY-APPOINTED BOARD THAT ONE OR MORE LIMITED EXCEPTIONS APPLY. EVEN THEN, THE RELEASE OF THE INFORMATION MAY ONLY BE POSTPONED FOR NO MORE THAN 25 YEARS. THOSE EXCEPTIONS AS THEY APPEAR IN THE ACT FOLLOW. THE ACT IS VERY PRO-RELEASE AND REQUIRES A BALANCING OF THE PUBLIC INTEREST.

UNDER THE BOARD'S INTERPRETATION OF THE ACT, YOUR NAME CANNOT BE REDACTED FROM THE DOCUMENTS TO BE RELEASED UNLESS WE CAN PROVIDE EVIDENCE THAT THIS RELEASE WOULD POSE A CREDIBLE THREAT TO YOU PERSONALLY, YOUR FAMILY, OR ANY SENSITIVE ACTIVITY OR PERSON(S) YOU MAY HAVE BEEN ASSOCIATED WITH IN THE PAST. IF YOU

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BELIEVE THAT ANY OF THESE CONCERNS WOULD BE RAISED FROM THE PUBLIC RELEASE OF YOUR NAME, PLEASE CONTACT BETH MILLS AT (703) 356-0285 OR 1-800-447-2211 OR VIA LETTER TO P.O. BOX 1626, WASHINGTON, D.C. 20013. YOU WILL NEED TO PROVIDE PERTINENT DETAILS SO THAT A COMPELLING CASE CAN BE PRESENTED TO THE BOARD. (SEE FOLLOWING GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OR RECORDS.) IF THE BOARD ORDERS THE RELEASE OF YOUR NAME, ITS RULING CAN BE REVERSED ONLY BY THE PRESIDENT. BECAUSE THE BOARD MUST COVER HUNDREDS OF THOUSANDS OF DOCUMENTS IN THE NEXT COUPLE OF YEARS, IT WILL BE CONSIDERING DOCUMENTS AT AN ACCELERATING PACE AND WE CANNOT PROJECT WHEN IT MAY REVIEW A DOCUMENT CONTAINING YOUR NAME. THEREFORE, PLEASE CONTACT ME AS SOON AS POSSIBLE IF APPROPRIATE.

SINCERELY,
(SIGNED BETH MILLS)

FOLLOWS ARE THE GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF RECORDS:

*DISCLOSURE OF<ASSASSINATION>RECORDS OR PARTICULAR INFORMATION IN
*<ASSASSINATION>RECORDS TO THE PUBLIC MAY BE POSTPONED SUBJECT TO THE LIMITATIONS OF THIS ACT IF THERE IS CLEAR AND CONVINCING EVIDENCE THAT--

(1) THE THREAT TO THE MILITARY DEFENSE, INTELLIGENCE OPERATIONS, OR CONDUCT OF FOREIGN RELATIONS OF THE UNITED STATES
*POSED BY THE PUBLIC DISCLOSURE OF THE<ASSASSINATION>IS OF SUCH GRAVITY THAT IT OUTWEIGHS THE PUBLIC INTEREST, AND SUCH PUBLIC DISCLOSURE WOULD REVEAL--

(A) AN INTELLIGENCE AGENT WHOSE IDENTITY CURRENTLY REQUIRES PROTECTION

(B) AN INTELLIGENCE SOURCE OR METHOD WHICH IS CURRENTLY UTILIZED, BY THE UNITED STATES GOVERNMENT AND WHICH HAS NOT BEEN OFFICIALLY DISCLOSED, THE DISCLOSURE OF WHICH WOULD INTERFERE WITH THE CONDUCT OF INTELLIGENCE ACTIVITIES; OR

(C) ANY OTHER MATTER CURRENTLY RELATING TO THE MILITARY DEFENSE, INTELLIGENCE OPERATIONS OR CONDUCT OF FOREIGN RELATIONS OF THE UNITED STATES, THE DISCLOSURE OF WHICH WOULD DEMONSTRABLY IMPAIR THE NATIONAL SECURITY OF THE UNITED STATES.

* (2) THE PUBLIC DISCLOSURE OF THE<ASSASSINATION>RECORD WOULD REVEAL THE NAME OR IDENTITY OF A LIVING PERSON WHO PROVIDED CONFIDENTIAL INFORMATION TO THE UNITED STATES AND WOULD POSE A SUBSTANTIAL RISK TO THAT PERSON;

* (3) THE PUBLIC DISCLOSURE OF THE<ASSASSINATION>RECORD COULD REASONABLY BE EXPECTED TO CONSTITUTE AN UNWARRANTED INVASION OF

PERSONAL PRIVACY, AND THAT INVASION OF PRIVACY IS SO SUBSTANTIAL THAT IT OUTWEIGHS THE PUBLIC INTEREST;

* (4) THE PUBLIC DISCLOSURE OF THE<ASSASSINATION>RECORD WOULD COMPROMISE THE EXISTENCE OF AN UNDERSTANDING OF CONFIDENTIALITY CURRENTLY REQUIRING PROTECTION BETWEEN A GOVERNMENT AGENT AND A COOPERATING INDIVIDUAL OR A FOREIGN GOVERNMENT, AND PUBLIC DISCLOSURE WOULD BE SO HARMFUL THAT IT OUTWEIGHS THE PUBLIC INTEREST; OR

* (5) THE PUBLIC DISCLOSURE OF THE<ASSASSINATION>RECORD WOULD REVEAL A SECURITY OR PROTECTIVE PROCEDURE CURRENTLY UTILIZED, OR REASONABLY EXPECTED TO BE UTILIZED, BY THE SECRET SERVICE OR ANOTHER GOVERNMENT AGENCY RESPONSIBLE FOR PROTECTING GOVERNMENT OFFICIALS, AND PUBLIC DISCLOSURE WOULD BE SO HARMFUL THAT IT OUTWEIGHS THE PUBLIC INTEREST.

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3. IF STATION WANTS, YOU MAY OFFER IDEN THE POSSIBILITY OF COMMUNICATING WITH HEADQUARTERS VIA CABLE TRAFFIC RATHER THAN BY TELEPHONE OR LETTER. IN MANY CASES THE RESPONSE CONTAINS SENSITIVE IF NOT CLASSIFIED INFORMATION. ALL PREVIOUS RECIPIENTS OF THIS LETTER HAVE HAD CONCERNS OR QUESTIONS; FOLLOWING ARE ANSWERS TO SOME OF THE MOST FREQUENTLY ASKED QUESTIONS:

*A. WHY IS MY NAME IN THE<JFK ASSASSINATION>RECORDS?
WE DO NOT KNOW EXACTLY BUT YOUR NAME MAY HAVE BEEN MENTIONED IN A CABLE OR DOCUMENT, OR YOU MAY HAVE COORDINATED OR SIGNED A CABLE
*OR DOCUMENT WITH REFERENCE TO THE<ASSASSINATION.>

B. WHAT DOES THIS MEAN?
IT MEANS YOUR NAME WILL BE INCLUDED IN THE PUBLIC RELEASE OF ALL
*DOCUMENTS PERTINENT TO THE<ASSASSINATION.> THE DOCUMENTS HAVE BEEN RELEASED TO THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA) WITH THE NAME REMOVED AND IF WE DO NOT MAKE A COMPELLING CASE THE PRESIDENTIAL BOARD WILL RELEASE NEW VERSIONS OF THE DOCUMENTS WITH THE NAMES. THE FIRST REVIEW OF NAMES WILL BE THIS SUMMER AND IT WILL CONTINUE AS DOCUMENTS ARE REVIEWED. ONCE THE BOARD RULES THE DOCUMENTS IN QUESTION MUST BE RELEASED IN 30 DAYS.

C. WHAT EXACTLY DOES "RELEASE" MEAN?
IT MEANS THE GENERAL PUBLIC WILL HAVE ACCESS TO THE DOCUMENT VIA NARA. THERE ARE PROFESSIONAL RESEARCHERS WAITING FOR ACCESS TO THE MATERIAL SO THAT THEY CAN RESEARCH THE VARIOUS CONSPIRACY THEORIES. WE KNOW OF SOME ORGANIZATIONS THAT WILL MOST LIKELY PUT THE INFORMATION IN COMPUTER SYSTEMS SO IT CAN BE EASILY SEARCHED.

D. WHAT IF I DON'T WANT MY NAME RELEASED?
YOU AND WE WILL HAVE TO CONVINCE THE PRESIDENTIALLY APPOINTED REVIEW BOARD THAT YOUR SITUATION MEETS THE CRITERIA PROVIDED IN THE GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF RECORDS. (TO BE ABSOLUTELY FRANK, THIS IS EXTREMELY DIFFICULT TO DO AND THE VERY FEW CASES WHICH WE HAVE WON HAVE BEEN BASED ON VERY SPECIFIC

AND COMPELLING REASONS.)

E. WHAT DO I DO NEXT?
IF RELEASE OF YOUR NAME IS NOT A PROBLEM, YOU DON'T HAVE TO DO ANYTHING. IF YOU DO NOT WANT YOUR NAME RELEASED, YOU NEED TO ADVISE US OF THAT FACT AND EXPLAIN IN DETAIL WHY RELEASE WOULD BE HARMFUL TO YOU AND NATIONAL SECURITY. WE HAVE FOUGHT AGAINST RELEASE ON THE PRINCIPLE OF THE COVER MECHANISM WITHOUT SUCCESS TO DATE, AND WE WILL CONTINUE THE EFFORT. THE BOARD HAS NOT BEEN AND IS NOT LIKELY TO BECOME SYMPATHETIC TO A PRINCIPLE BASED ARGUMENT.

F. IF MY NAME IS RELEASED, WHAT ABOUT MY COVER STATUS?
THE IMPACT OF THE RELEASE OF THE RELATIONSHIP OF YOUR TRUE NAME AND THE AGENCY WILL HAVE TO BE LOOKED AT CAREFULLY TO DETERMINE THE VIABILITY OF CONTINUED COVER PROTECTION.

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END OF MESSAGE SECRET